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FISCAL IMPACT STATEMENT

LS 7131

BILL NUMBER: HB 1272

NOTE PREPARED: Feb 19, 2013

BILL AMENDED: Feb 19, 2013

SUBJECT: Dietitian Licensure.

FIRST AUTHOR: Rep. Bacon

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) *Licensed Dietitians*- The bill requires that, with certain exceptions, an individual who: (1) professes to be a licensed dietitian; or (2) implies by words or letters that the individual is a licensed dietitian; must be licensed.

Repeal of Certification- The bill repeals provisions providing for certification of dietitians.

Name Change- The bill changes the name of the Indiana Dietitians Certification Board (IDCB) to the Indiana Dietitians Licensing Board (IDLB).

Grandfathers Current Certified Dietitians- The bill specifies that an individual who is a certified dietitian on June 30, 2013, becomes a licensed dietitian beginning July 1, 2013. The bill makes other conforming changes.

Effective Date: Upon passage; July 1, 2013.

Explanation of State Expenditures: *Licensed Dietitians*- The proposed IDLB would be able to make the rules necessary to comply with the bill within their existing level of resources.

IDLB Board- The IDLB would have to meet at least four times instead of the current two times per year. The IDLB would be able to receive and process complaints and investigate alleged violations. The IDLB would be able to issue subpoenas, examine witnesses, and administer oaths. The IDLB would be able to seek injunctive relief to prohibit any unlicensed person from providing professional dietetic or nutritional care services. The IDCB has not had a meeting scheduled since August 2011. The proposed IDLB would have seven members,

the same number as the current IDCB.

Examination- The bill would continue the existing practice of using a private testing vendor as approved by the Commission on Dietetic Registration (CODR). Depending on any rules adopted by the IDLB, any examination changes would depend on the CODR to complete and would not impact state expenditures. Examinations are currently computerized and are available year round Monday through Friday.

Reciprocity- The IDLB would be able to issue a license to an applicant, if the applicant presented evidence that he/she had been issued a license in a state that has requirements for licensure that are equivalent to the requirements for licensure in Indiana.

(Revised) Attorney General- The bill would allow the IDLB to receive complaints and may refer them to the Attorney General (AG) for investigation and any further necessary legal action. This provision may cause an additional administrative workload on the AG's office.

Name Change- This provision would likely impact state expenditures. The board would have to change the letterhead of their existing stationary and applications in order to conform with the bill's requirements. With the widespread availability of applications and other informational documents for the IDLB available online, the costs would likely be mitigated, if the PLA places the new documents online and keeps printing to a minimum.

Grandfathers Current Certified Dietitians- The bill would give the proposed IDLB the power to waive the examination requirement for a licensed dietitian if certain provisions within the bill are met. The waiver plus the grandfather provision within the bill would significantly reduce the expenditures necessary to a negligible level to convert certified dietitians to licensed status.

Explanation of State Revenues: *Licensed Dietitians-* The bill would give the proposed IDLB the option to increase the supervised practice experience for a new dietician by 300 hours to 1,200 hours. This provision may slow the initial licensing of dieticians in the first years of implementation.

Background Information- The Professional Licensing Agency reports there were 1,355 active certified dietitians as of September 2012. Certification fee revenue from dieticians totaled \$28,295 over the last biennium in FY 2011 - FY 2012.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana Dieticians Certification Board; Attorney General.

Local Agencies Affected:

Information Sources: *Indiana Handbook of Taxes, Revenues, and Appropriations*, FY 2012 Edition; Professional Licensing Agency active license/certification totals 9/19/2012.

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